

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Custer County,     ) Application No. 911-023.4  
Broken Bow, seeking funding         )  
approval for recurring and non-     ) ORDER APPROVING FUNDING  
recurring costs of Enhanced         ) REQUEST IN PART  
Wireless 911 implementation.        )  
  ) Entered: March 13, 2007  
  )

BY THE COMMISSION:

By written request for funding dated December 11, 2006, Custer County, Broken Bow, sought funding from the Enhanced Wireless 911 Fund for expenses for implementing and providing enhanced wireless 911 service.

In its application, Custer County sought non-recurring costs in the amount of \$101,765.00 for the purchase and installation of equipment necessary to implement enhanced wireless 911 service. Custer County currently uses Motorola Centralink equipment which will no longer be supported by the manufacturer, therefore crippling the county's ability to maintain and upgrade the equipment.

Custer County provided supporting documentation for the equipment and associated expenses from its vendor, Platte Valley Communications of Kearney (Platte Valley). The Enhanced Wireless 911 Advisory Board considered Custer County's request at its December 11, 2006 meeting and recommended that the Commission approve payment in the amount of \$88,511.00, deducting the costs of the reporting package and \$10,457.00 for maintenance and support services. Subsequently, Custer County submitted a revised funding request in the amount of \$108,603.00. This amount includes costs for IP phones, maintenance and support services and software that allows the PSAP to compile various reports including call volume reports.

Additionally, the costs of several items listed in the supporting documentation exceed the prices contained in Platte Valley's response to the Commission's Request for Proposal (RFP). All costs contained within the request for funding and supporting documentation are set forth in the confidential attachment Appendix A, attached hereto and incorporated herein by this reference. Those items listed in bold print are priced above the RFP pricing.

## O P I N I O N   A N D   F I N D I N G S

This request for additional funding is being processed pursuant to Neb. Rev. Stat. §§ 86-442 to 86-470. (Cum. Supp. 2006), 291 Neb. Admin. Code, Chapter 1, Section 5, Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002 and the Interim Policy established in Progression Order No. 1 in Commission Docket No. 911-017/PI-116, entered February 13, 2007 (Interim Policy).

Based upon the request for funding, supporting documentation, and in consideration of the recommendation of the Advisory Board, the Commission is of the opinion and finds that costs requested, subject the limitations set forth below, are eligible under Neb. Rev. Stat. § 86-465 as they have been incurred or will be incurred for the purchase, installation, maintenance or operation of telecommunications equipment and telecommunications services required for the provision of enhanced wireless 911 service.

This funding request was received prior to February 16, 2007. Pursuant to the Interim Policy, the Commission therefore considers this funding request for full reimbursement without being subject to the wireless/landline allocation factor established in the Commission's February 17, 2007 order.

Custer County's request includes costs associated with the first year of maintenance and service. The Commission finds that maintenance of the equipment is essential to ensure the proper operation of the statewide 911 system and should be funded to the extent funds are available during this interim period. However, the Commission denies the request with respect to costs associated with IP phones and the reporting software.

The Commission further finds that the funding request shall be granted only to the extent the pricing complies with Platte Valley's response to the RFP.

Therefore, the request for funding should be granted in part in the amount of **\$103,711.00**. Said amount includes maintenance expenses and amounts up to the pricing set forth in the vendor's response to the RFP. However, this amount does not include costs associated with IP phones and the reporting software or any amounts requested in excess of the prices offered in response to the RFP as outlined in Appendix A.

The Fund shall therefore pay to Custer County the amount of **\$103,711.00** consistent with the terms of this order and the amounts set forth in Appendix A. Custer County may request that the Commission make payment directly to its vendor.

Should Custer County wish to be heard on those portions of the funding request related to the IP phones and reporting software and in excess of the prices offered in the response to the RFP, it shall notify the Commission in writing **within fifteen (15) days of this order** and the matter will be set for hearing.

The Commission reserves the right to modify any recurring costs associated with this funding request consistent with amendments to the Interim Policy or the establishment of a permanent funding mechanism.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Enhanced Wireless 911 Fund shall pay to Custer County the amount of **\$103,711.00** consistent with the terms of this order and Appendix A for the equipment necessary to provide enhanced wireless 911 service.

IT IS FURTHER ORDERED that should Custer wish to be heard on those portions of the funding request related to the IP phones and reporting software and in excess of the prices offered in the response to the RFP, it shall notify the Commission in writing **within fifteen (15) days of this order** and the matter will be set for hearing.

MADE AND ENTERED at Lincoln, Nebraska this 13th day of March, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Deputy Director